

RESTRICTIVE COVENANT

OWNER: Jesus Turullols

OWNER ADDRESS: 8303 La Plata Loop, Austin, Texas 78737

CITY: **CITY OF AUSTIN, TEXAS**, a Texas home-rule municipal corporation situated in the counties of Hays, Travis, and Williamson

CITY's ADDRESS: P.O. Box 1088
Austin, Travis County, Texas 78767-1088

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which are acknowledged.

PROPERTY: 26.158 acre tract of land situated in the Santiago Del Valle Grant, Travis County, Texas, being the tract of land described in Warranty Deed with Vendor's Lien to Jesus Turullols, recorded in Volume 8934, Page 985, said 26.158 acres of land being more particularly described by metes and bounds in the attached **Exhibit "A."**

WHEREAS, the Owner of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell, and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant ("Agreement"). These covenants and restrictions shall run with the land and shall be binding on the Owner of the Property, its heirs, successors, and assigns.

1. Development on the Property is subject to the recommendations contained in the Neighborhood Traffic Analysis ("NTA") memorandum from the Transportation Development Services division of the Austin Transportation Department (the "Department"), dated July 28, 2021 and updated September 16, 2021. The NTA memorandum shall be kept on file at the Department.
2. If any person or entity shall violate or attempt to violate this Agreement, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such

person or entity violating or attempting to violate such Agreement, to prevent the person or entity from such actions, and to collect damages for such actions.

- 3. If any part of this Agreement is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this Agreement, and such remaining portion of this Agreement shall remain in full effect.
- 4. If at any time the City of Austin fails to enforce this Agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
- 5. This Agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin and (b) by the Owner of the Property, or a portion of the Property, subject to the modification, amendment, or termination at the time of such modification, amendment or termination.

EXECUTED this the _____ day of _____, 2021.

Owner:
Jesus Turullols

Jesus Turullols

THE STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me on this the _____ day of _____ 2021, by Jesus Turullols.

Notary Public, State of Texas

APPROVED AS TO FORM:

Name: _____
Assistant City Attorney
City of Austin

METES AND BOUNDS DESCRIPTION

BEING a 26.158 acre tract of land situated in the Santiago Del Valle Grant, Travis County, Texas, in the City of Austin, being the tract of land described in the instrument to Jesus Turullols, recorded in Volume 8934, Page 985, Deed Records of Travis County, Texas, said 26.158 acre tract of land being more particularly described as follows:

BEGINNING at a 1" iron pipe found in the easterly right-of-way line of Brandt Road (a variable width right-of-way) for the northwesterly corner of Tract One as described in said Jesus Turullols instrument;

THENCE with the easterly right-of-way line of Brandt Road the following:

North 36° 51' 32" East a distance of 24.65 feet to a 1 inch iron pipe found for corner;

North 75° 14' 15" East a distance of 238.21 feet to a 1 inch iron pipe with a 60d nail found for corner;

North 64° 08' 45" East a distance of 645.04 feet to a ½ inch iron rod with a yellow plastic cap stamped "Dunaway Assoc LP" set for corner;

North 51° 51' 52" East at a distance of 44.44 feet passing a found ½ inch iron rod in all a total distance of 210.10 feet to a ½ inch iron rod found for corner;

North 70° 12' 21" East a distance of 236.56 feet to a ½ inch iron rod found for the most westerly corner of the tract of land described in the instrument to Patricia Heisler recorded in Document Number 2009193198, Official Public Records of Travis County, Texas;

THENCE departing the easterly right-of-way line of Brandt Road with the southwesterly line of said Patricia Heisler tract the following:

South 25° 52' 18" East a distance of 849.39 feet to a 1/2 inch iron pipe found for corner;

South 36° 17' 30" East a distance of 109.40 feet to a ½ inch iron rod found for corner;

South 79° 55' 28" East a distance of 223.00 feet to the centerline of Onion Creek;

THENCE departing the southwesterly line of said Patricia Heisler tract with the centerline of Onion Creek the following:

South 10° 45' 32" West a distance of 23.70 feet to a point;

South 12° 45' 32" West a distance of 175.00 feet to a point;

South 6° 44' 28" East a distance of 207.50 feet to a point;

South 15° 53' 14" East a distance of 120.23 feet to the northeasterly corner of Parkside At Slaughter Creek, Section 3 an addition to the City of Austin according to the plat recorded in Document Number 200300206, Official Public Records of Travis County, Texas;

THENCE departing the centerline of Onion Creek with the northwesterly line of said Parkside At Slaughter Creek, Section 3 the following:

North 69° 53' 21" West at a distance of 108.16 feet passing a found ½ inch iron rod in all a total distance of 395.28 feet to a 1 inch iron pipe found for corner;

North 69° 21' 12" West a distance of 182.88 feet to a ½ inch iron rod found for corner;

North 68° 36' 25" West a distance of 379.00 feet to a ½ inch iron pipe found for corner;

North 63° 20' 17" West a distance of 325.36 feet to a ½ inch iron rod with a yellow plastic cap stamped "Dunaway Assoc LP" set for corner;

North 63° 14' 38" West a distance of 399.01 feet to a ½ inch iron rod with a yellow plastic cap stamped "Dunaway Assoc LP" set for corner;

North 63° 17' 08" West a distance of 125.18 feet to a ½ inch iron rod with a yellow plastic cap stamped "Dunaway Assoc LP" set for the northeasterly corner of Parkside At Slaughter Creek, Section 2 an addition to the City of Austin according to the plat recorded in Document Number 200300100, Official Public Records of Travis County, Texas;

THENCE departing the northeasterly line of said Parkside At Slaughter Creek, Section 3 with the northeasterly line of said Parkside At Slaughter Creek, Section 2 North 63° 17' 08" West a distance of 255.84 feet to the POINT OF BEGINNING;

CONTAINING a computed area of 26.158 acres (1,139,453 square feet) of land.

Prepared by:
Dunaway
550 Bailey Avenue Suite 400
Fort Worth, Texas 76107
(817) 335-1121
TBPLS No. 10098100




Gregory S. Iffland R.P.L.S. 4351

04-08-2021

Date

The Basis of Bearings for this survey is the Texas State Coordinate System, Texas Central Zone, 4203, based upon GPS measurements, according to the North Texas Cooperative VRS Network

References: TCAD: 04 3918 0610

Austin Grid: MG-12&13

DUNAWAY
 TX Registered Surveying Firm No. 10098100
 550 Bailey Avenue Suite 400
 Fort Worth, Texas
 Phone: 817-335-1121

POINT OF BEGINNING
 L1
 L2
 L4
 Parkside at Slaughter Creek Section 2 Document Number 200300100
 Parkside at Slaughter Creek Section 3 Document Number 200300206
 Petrified Forest Drive (50' width right-of-way)
 BRANDT ROAD (Variable width right-of-way) Document Number 2012139509
 Shoreline Church, Inc. Document Number 2012139509
 Amended Plat of Section Three and Four of Onion Creek Document Number 200400250

Found Iron Pipe with 60d nail
 26.158 ACRES (1,139,453 SQ. FT.)
 Jesus Turillos
 Volume 8934, Page 985

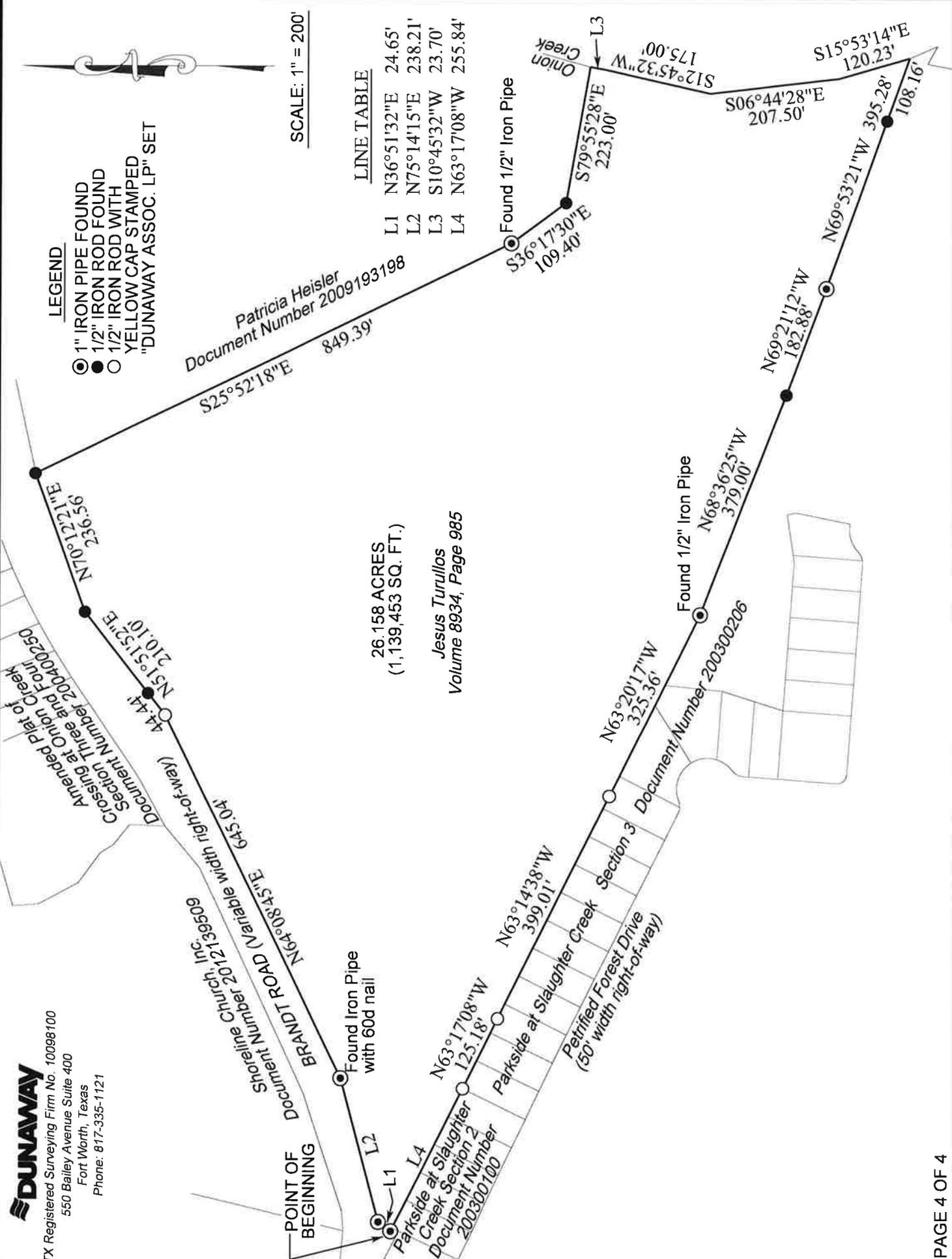
Patricia Heisler
 Document Number 2009193198
 849.39'

LINE TABLE

L1	N36°51'32"E	24.65'
L2	N75°14'15"E	238.21'
L3	S10°45'32"W	23.70'
L4	N63°17'08"W	255.84'

- LEGEND**
- 1" IRON PIPE FOUND
 - 1/2" IRON ROD FOUND
 - 1/2" IRON ROD WITH YELLOW CAP STAMPED "DUNAWAY ASSOC. LP" SET

SCALE: 1" = 200'



After Recording, Please Return to:
City of Austin
Law Department
P. O. Box 1088
Austin, Texas 78767
Attention: C. Curtis, Paralegal